

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF GEORGIA
DUBLIN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
and)	
)	
CHARLES RIDLEY, et al.,)	
)	Civil Action No. 3009
Plaintiff-Intervenor,)	
)	
v.)	
)	
STATE OF GEORGIA <i>et al.</i> ,)	
(DUBLIN CITY SCHOOL DISTRICT))	
)	
Defendants.)	

**MOTION TO ENFORCE ORDERS OF JULY 16, 1971 AND MAY 19, 1978,
FOR ISSUANCE OF RULE TO SHOW CAUSE, AND FOR FURTHER RELIEF**

Plaintiff the United States respectfully moves this Court to grant relief necessary to fully enforce the terms of the July 16, 1971 Order (“1971 Order”) with respect to inter-district transfers from the Dublin City School District (“Dublin”) and the terms of the May 19, 1978 Order (“1978 Order”) with respect to class assignments at Dublin’s elementary schools and middle school. The United States also respectfully moves this Court to order Dublin to show cause why it should not be held in contempt for repeated and willful violations of the 1978 Order. To achieve full compliance with the 1971 Order, the United States seeks further relief that enjoins the Laurens County School Board (“Laurens”) from accepting transfers that violate the Order and that requires Laurens to verify students’ residences.

In support of this motion, the United States would respectfully show the Court as follows:

1. On August 1, 1969, the United States filed suit against the State of Georgia and various school agencies and officials of the state alleging that the defendants were operating dual school systems based on race in violation of the Fourteenth Amendment and federal law. United States v. State of Georgia, C.A. No. 12,972 (N.D. Ga.). The suit was filed in the United States District Court for the Northern District of Georgia and that Court issued several orders to desegregate 81 school districts in Georgia.

2. Pursuant to that Court's Order of December 17, 1969 ("1969 Order"), Dublin submitted its first desegregation plan. The plan was approved by that Court on April 21, 1970. On July 16, 1971, that Court issued an order amending its earlier orders in several areas including inter-district transfers and requiring the Ridley districts to submit new desegregation plans for the 1971-72 school year.

3. The 1971 Order prohibits Dublin from allowing "more than 5% of [its] minority students . . . to transfer to other districts where they are either in the majority or made a part of a larger minority percentage than in the district from which they have transferred, excluding those instances where all students of both races in a certain category are transferred by contract approved by the State School Board." 1971 Order at 3, § I(3) (Tab 2); see also 1969 Order at 3. The Appendix of the Order defines "minority race" as "the race, black or white, which constitutes less than half of the total pupil enrollment, in any school district for any one regular school year." Appendix to 1971 Order at ¶ I (Tab 2). Because Dublin is a minority white district, see Tab 1 at 1, no more than 5% of its resident white students may transfer to majority white public school districts.

4. On February 22, 1972, that Court approved a new student assignment plan designed to

